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SENATE BILL 1058

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY
STUART INGLE

AN ACT

RELATING TO COURTS; CLARIFYING THE DUTIES OF CHILD SUPPORT
HEARING OFFICERS; AMENDING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 40-4B-4 NMSA 1978 (being Laws 1988,
Chapter 127, Section 4, as amended) is amended to read:

"40-4B-4. CHILD SUPPORT HEARING OFFICERS-- APPOINTMENT--
TERMS-- QUALIFICATIONS-- COMPENSATION. --

A. Child support hearing officers shall be appointed
by and serve at the pleasure of the judges of the judicial
districts determined pursuant to Subsection D of this section.
Each hearing officer shall be selected by a majority of the
district court judges in the judicial district to which he is
assigned. The child support hearing officers shall be paid
pursuant to a cooperative agreement between the human services

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1 department and the judicial districts.

2 B. Child support hearing officers shall be lawyers
3 who are licensed to practice law in this state and who have a
4 minimum of five years experience in the practice of law, with at
5 least twenty percent of that practice having been in family law
6 or domestic relations matters. Child support hearing officers
7 shall devote full time to their duties ~~[under the Child Support~~
8 ~~Hearing Officer Act]~~ as judicial employees and shall not engage
9 in the private practice of law or in any employment, occupation
10 or business interfering with or inconsistent with the discharge
11 of their duties ~~[as a full-time child support hearing officer].~~

12 C. A child support hearing officer is required to
13 conform to Canons 21-100 through 21-500 and 21-700 of the Code
14 of Judicial Conduct as adopted by the supreme court. Violation
15 of any such canon shall be grounds for dismissal of any child
16 support hearing officer. Child support hearing officers shall
17 be employees of the judicial branch of government and shall not
18 be subject to the Personnel Act. Their compensation shall be
19 set by the judges who appoint them, but such compensation shall
20 not exceed eighty percent of the current salary for district
21 court judges.

22 D. Child support hearing officers shall serve in
23 such judicial districts as the secretary deems appropriate
24 considering the case loads and case needs of the state's Title
25 IV D program."

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1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
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5 March 5, 1997
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7 Mr. President:
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9 Your JUDICIARY COMMITTEE, to whom has been referred
10

11 SENATE BILL 1058
12

13 has had it under consideration and reports same with
14 recommendation that it DO PASS.
15

16 Respectfully submitted,
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18 _____
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20 Fernando R. Macias, Chairman
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23
24 Adopted _____ Not Adopted _____
25 (Chief Clerk) (Chief Clerk)

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Date _____

The roll call vote was 4 For 2 Against

Yes: 4

No: Lopez

Excused: Sanchez, Tsosie

Absent: None

S1058JU1

**State of New Mexico
House of Representatives**

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 15, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 1058

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Thomas P. Foy, Chairman

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: King, Luna, Mallory, Rios, Sanchez

Absent: None

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Underscored material = new
[bracketed material] = delete